

CECW-AG

04 Feb 1998

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Guidance Letter No. 59, Recreation Development at Ecosystem Restoration Projects

1. Enclosed for your review and comment is a draft Policy Guidance Letter No. 59, Recreation Development at Ecosystem Restoration Projects. It has been prepared in response to a request for guidance on this subject. Your thoughts and constructive comments will help.
2. Please review the draft PGL and provide your comments by 27 Feb 98. Any questions should be referred to Lloyd Saunders, CECW-AG, (202) 761-8731; and your comments should be provided directly to him via e-mail.

FOR THE COMMANDER:

Encl

/s/  
DAVID B. SANFORD, JR.  
Chief, Policy Division  
Directorate of Civil Works

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MEMORANDUM FOR MAJOR SUBORDINATE COMMANDS AND DISTRICT  
COMMANDS

SUBJECT: Policy Guidance Letter No. 59, Recreation Development at Ecosystem Restoration Projects

1. References:

- a. ER 1165-2-400, 9 August 1985, subject: Recreation Planning, Development, and Management Policies.
- b. EP 1165-2-1, 15 February 1996, subject: Digest of Water Resources Policies and Authorities.
- c. ER 1105-2-100, 28 December 1990, subject: Planning Guidance.
- d. Policy Guidance Letter No. 30, Recreation Cost Sharing Credit for Increased Real Estate Interest for Recreation Development at Non-Reservoir Projects.
- e. Policy Guidance Letter No. 36, Recreation Development at (Non-Lake) Structural Flood Control and Harbor Projects.

2. Applicability. This policy guidance letter is applicable to the planning and development of outdoor recreation facilities at single purpose ecosystem restoration projects and projects constructed under the authority of Section 1135 of the Water Resources Development Act of 1986 (WRDA 86), Section 204 of WRDA 92, and Section 206 of WRDA 96.

3. Background:

- a. Long established policy precludes cost sharing development of new recreation facilities at completed projects. Current budget constraints and the intense competition for Federal funds dictate austerity in the planning and design of recreation facilities at Civil Works projects.
- b. Potential recreation development at Civil Works projects depends on the type of project, the location, and demographic characteristics of the surrounding area. Ecosystem restoration projects are formulated to restore degraded ecosystem structure, function, and dynamic processes to a less degraded, natural condition. Recreation development at ecosystem restoration projects must be compatible with the ecosystem restoration purpose of the project.
- c. Recreation development at Civil Works projects provides opportunities that significantly benefit communities throughout the nation. The social, cultural, scientific, and educational values of these recreation opportunities should be considered by districts after they

formulate project plans for ecosystem restoration projects. Despite austere budgets and policy requirements, recreational development can contribute to community health and well-being .

4. Purpose. This guidance letter states the principles for recreation development at new Corps ecosystem restoration projects. No funds are to be expended on planning or development of facilities not in compliance with this guidance. It also provides a limited checklist of recreation facilities which may be cost shared at new Corps ecosystem restoration projects as defined in paragraph 2. This letter also contains a discussion of locally preferred plans, and presents new reporting guidelines for presentation of recreation development.

5. Principles for Recreation Development . At many ecosystem restoration projects, the land base which was provided by the ecosystem restoration project provides a low cost opportunity to provide recreation facilities because most of the cost of the land is a sunk cost. Planning of recreation facilities to be cost shared at new ecosystem restoration projects must comply with three major criteria: (a) philosophy and inclusion on the checklist, (b) economic justification; and, (c) the ten percent limit rule.

a. Philosophy and Checklist.

(1) Philosophy. The understanding of Federal budgetary interest lies within the context of the benefits from a facility or activity.

(a) Formulation. Ecosystem restoration projects should be formulated to address significant resources and must be justified through a determination that the combined monetary and non-monetary value of the last increment of benefits or losses prevented or replaced exceeds the combined monetary and non-monetary cost of the last added increment of the ecosystem restoration measure. Recreation development will not influence that formulation.

(b) Recreation Development. Recreation development at an ecosystem restoration project should be totally ancillary. Recreation facilities may be added to take advantage of the recreation potential of the ecosystem project, but the project cannot be specifically formulated for a recreation purpose. The recreation potential may be satisfied only to the extent that recreation does not detract from the ecosystem restoration purpose. Plans should seek to optimize public use in harmony with the objectives of the restoration project over the period of analysis.

(c) Vendibility. If recreation benefits are vendible (type usually provided by private enterprise), then the facility should be provided by others.

(d) Stand-alone Principle. Simply stated, if a recreation feature could be built at the same location without the ecosystem restoration project and not lose any of its utility or value, it stands alone. When facilities stand alone, the Corps should not participate in their development (Reference 1a, Appendix B).

(e) Access, health and safety. While most facilities at ecosystem restoration projects would "stand-alone" the Corps will participate in facility development to provide access to and along the project features. The development of these facilities should not involve extensive

structural modification of the terrain and may include rest areas and picnic facilities. Ideally these facilities would be a part of a larger non-Corps recreation plan such as a regional trail system or provide access to other non-Federal recreation facilities or areas.

(2) Check List of Recreation Facilities. Corps regulations, reference 1a and 1c, include a checklist of facilities which may be provided in recreation developments at all types of Corps water resource projects. The referenced list is all encompassing and it includes not only facilities that can be cost shared, but those minimum facilities that may be included at lake projects as a part of the joint cost as well as those that can be constructed by others at non-Federal expense. This list is applicable for lake projects (reservoirs) and the associated recreation experience. A checklist of approved recreation facilities which may be cost shared at new ecosystem restoration projects is provided as an enclosure to this guidance letter. The scope of the recreation development must also be appropriate. Facilities to be cost shared are limited to standard designs consistent with the natural environment of the surrounding area but should not include embellishments such as decorative stone work planters, elaborate designs or be ostentatious. (Reference 1a, Appendix B and Reference 1c, Appendix J). Recreation development for projects covered by this guidance letter must be provided on the lands needed and acquired for the basic ecosystem restoration project, except that additional recreation land may be acquired if needed for access, parking, potable water, sanitation and related development for health, safety and public access. (Reference 1b, Paragraph 17-3a(1) and Reference 1c, Paragraph 4-25b).

b. Economic Justification. Reports recommending recreation development will clearly present the formulation and justification of the recreation plan to be recommended for Federal implementation. Federal participation should be limited to support development that capitalizes on the recreation potential afforded by the ecosystem restoration project. Incremental justification of recreation features will be demonstrated in the report. The addition of recreation to the plan will not influence formulation of the basic ecosystem restoration project which must produce monetary and/or non-monetary benefits which justify the monetary and/or non-monetary costs without recreation. The report will include a brief description of the competing recreation facilities and their existing and expected future use with and without the project. Recreation benefits, costs and cost sharing must be shown separately. (Reference 1b, Paragraph 17-3a(2) and Reference 1c, Paragraphs 2-12h and 4-3a).

c. The Ten Percent Limit Rule. The level of financial participation in recreation development by the Corps at an otherwise justifiable project may not increase the Federal cost of the ecosystem restoration project by more than ten percent without prior approval of the Assistant Secretary of the Army (Civil Works). (Reference 1b, Paragraph 17-3a(3) and Reference 1c, Paragraph 4-25b). The policy to limit the Federal share in recreation development was first established in a 2 June 1996 memorandum from the Assistant Secretary of the Army (Civil Works). The purpose of the policy is to allow concentration of scarce Civil Works funds on high priority features rather than recreation development. The ten percent limit should be viewed as an upper limit on Federal cost sharing and not as a goal for expenditures. The cost of recreation facilities to be cost shared would normally be less than the ten percent limit.

6. Cost Sharing. The cost of recreation facility development is shared 50/50 percent between the Government and non-Federal sponsors. Separable lands required for public access, health, and

safety, are the responsibility of non-Federal sponsors, with crediting toward the sponsor's 50 percent share of development costs. The cost of lands provided by non-Federal sponsors for the basic project are not included for recreation cost sharing purposes. Established policy permits credit towards recreation cost sharing for incremental costs of increasing the real estate interests in land within the boundary acquired for the basic ecosystem restoration project. Additional guidance is provided in reference 1d. Operation, maintenance, replacement, repair and rehabilitation costs are the responsibility of the local sponsor. (Reference 1a, Paragraph 7; Reference 1b, Paragraph 17-3a, and Reference 1c, Paragraph 4-26b).

7. Locally Preferred Plan. A recreation sponsor may desire to include recreation facilities that are not on the enclosed checklist, are more elaborate than permitted, do not meet the "stand alone" principle, exceed the ten percent limit rule, are not on lands required for the basic ecosystem restoration project, or cannot be economically justified. Such facilities may be recommended as the locally preferred plan. Cost of planning and implementation of facilities provided as the locally preferred plan must be financed by the non-Federal sponsor and cannot be included in the benefit/cost ratio, and will not be credited against the sponsors share of cost shared facilities. Another application of this principle concerns the case where there is a locally preferred ecosystem restoration plan that includes a greater land base than required by the recommended ecosystem restoration plan, extending the project beyond the real limits of the ecosystem restoration plan. In this case, the Federal Government can participate in recreation development of the locally preferred ecosystem restoration plan. However, Federal participation in recreation development will be limited to those facilities shown on the enclosed check list and can not exceed ten percent of the Federal share of the cost of the recommended ecosystem restoration plan. All lands must be provided by the non-Federal sponsor.

8. Reporting Guidelines. The scope of the recreation development approved in the project report should be carried through to project completion. Any increase or deviation in the type or scope of cost shared facilities following approval of the project report must be reported to HQUSACE (CECW-P) for approval prior to any expenditure of either Federal or non-Federal funds on that recreation feature.

FOR THE COMMANDER:

Encl

RUSSELL L. FUHRMAN  
Major General, USA  
Director of Civil Works

CHECKLIST OF FACILITIES WHICH MAY BE COST SHARED IN RECREATION  
DEVELOPMENTS AT ENVIRONMENTAL PROTECTION AND ECOSYSTEM  
RESTORATION PROJECTS<sup>1</sup>

I. Access and Circulation

- Roads
- Turnarounds
- Trails (multiple-use)
- Parking
- Bridges and Culverts
- Walks
- Steps/ramps
- Footbridges<sup>2</sup>

II. Structures

- Sanitation - Vault Toilets, Comfort Stations
- Shelters - Picnic, Trail

III. Utilities

- Water Supply - Municipal System<sup>3</sup>, Wells, Drinking Fountains and Faucets
- Sewage and Waste Water Disposal - Municipal System, Septic Tanks and Tile Fields
- Storm Drainage
- Public Telephone

IV. Site Preparation/Restoration

- Clearing and Grubbing
- Grading and Land Form
- Vegetative restoration - includes native trees, shrubs and turf establishment

V. Park Furniture

- Picnic Tables
- Trash Receptacles/Holders
- Benches

VI. Play Facilities

- Play Area (open space-grading/grassing only)
- Play Equipment (standard-basic climbing, swinging and sliding apparatus)

## VII. Signs

- Entrance-Directional-Marker
- Traffic Control (Vehicular and Pedestrian)
- Instructional (Includes Fire Danger Notices)

## VIII. Interpretive Guidance and Media

- Display Boards
- Interpretive Markers (Natural, Historical, Archeological, etc.)
- Bulletin Board

## IX. Protection, Control, Health and Safety

- Gates and Barricades
- Cattle Guards
- Walls and Fencing
- Guardrails
- Entrance Stations
- Lighting
- Handrails

1/ Facilities to be cost shared are limited to standard designs consistent with the natural environment of the surrounding area but should not include embellishments, elaborate designs, or be ostentatious.

2/ Footbridges are to be austere and used only when other crossings methods are impractical. Footbridges which are the center of recreation experience are to be a non-Federal cost. Pedestrian bridges at highways or railroads are to be a non-Federal cost.

3/ Connection to an existing municipal system.